

jc525 U.S. PTO  
03/05/02

03-07-02  
U.S. PATENT AND TRADEMARK OFFICE A

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

jc525 U.S. PTO  
10/09/2003  
03/05/02

Docket No: 28110/35908A

**CONTINUING APPLICATION TRANSMITTAL  
UNDER 37 CFR 1.53(b)**

**Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231**

Sir:

This is a request under 37 CFR 1.53 for filing a

continuation application.  
 divisional application.

**1. Particulars of Prior Application**

Application Serial No: 09/370,265  
Filed on: August 9, 1999  
Title: Methods and Materials Relating to Novel CD39-Like Polypeptides  
Art Unit: 1644  
Examiner: Amy DeCloux, Ph.D.  
Prior Docket No.: 28110/35908

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **March 5, 2002**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. **ET 924100776 US**

  
Richard Zimmermann

2. This request is filed by:

1. Full Name of Inventor	Family Name  Ford	First Given Name  John	Second Given Name
Residence & Citizenship	City  San Mateo	State or Foreign Country  California	Country of Citizenship  USA
Post Office Address	Post Office Address  2763 South Norfolk	City  San Mateo	State & Zip Code/Country  California, 94403
2. Full Name of Inventor	Family Name  Mulero	First Given Name  Julio	Second Given Name  J
Residence & Citizenship	City  Palo Alto	State or Foreign Country  California	Country of Citizenship  USA
Post Office Address	Post Office Address  892 South Hampton Drive	City  Palo Alto	State & Zip Code/Country  California, 94303
3. Full Name of Inventor	Family Name  Yeung	First Given Name  George	Second Given Name
Residence & Citizenship	City  Mountain View	State or Foreign Country  California	Country of Citizenship  China
Post Office Address	Post Office Address  102 Magnolia Lane	City  Mountain View	State & Zip Code/Country  California, 94043

This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

**3. Amendments**

- A Preliminary Amendment is enclosed.
- Cancel claims 2-45 in the prior application before calculating the filing fee.
- The filing fee is based upon entry of the foregoing amendment(s) (if any).

**4. Copy of Prior Application**

- The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

**5. Sequence Listing**

The Sequence Listing in the above-identified application is identical to that in parent application U.S. Serial No. 09/370,265, filed August 9, 1999. In accordance with 37 C.F.R. 1.821(e), Applicants request that the Patent Office use the identical computer readable form of the Sequence Listing from the parent application as the computer readable form in the present application. The paper copy of the Sequence Listing included in the present specification is identical to the computer readable form of the Sequence Listing in U.S. Serial No. 09/370,265.

**6. Incorporation By Reference**

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**7. Priority**

- Priority of application No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 USC 119.
- The certified copy(ies) was(were) filed in prior U.S. application Serial No. \_\_\_\_\_.
- The certified copy(ies) has(have) not been filed.

**8. Assignment**

- The prior application is assigned of record to Hyseq, Inc., and has been recorded at Reel No. 010380, Frame No. 0575.

**9. Small Entity Status**

Applicant claims small entity status. See 37 CFR 1.27.

A small entity statement is(are) attached.

**10. Application to Be Published**

Yes.

No. A Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) is attached.

**11. Fee Calculation**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	1-20	=0	X 9 =		X 18 =	\$
INDEP.	1-3	=0	X 42 =		X 84 =	\$
<input checked="" type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =		+ 280 =	\$
Filing Fee:				\$370.00	OR	\$

**12. Method of Payment of Fees**

Attached is a check in the amount of: \$370.00

Charge Deposit Account No. 13-2855 in the amount of: \$  
A copy of this Transmittal is enclosed.

**13. Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

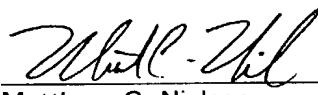
**14. Correspondence Address**

Customer No.: 04743

Respectfully submitted,

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By:

  
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**March 5, 2002**